HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ.
HON'BLE SHRI D.R. DESHMUKH, J.

Writ Petition No.2135 of 2006

PETITIONER

Ganesh Dutt Mersha,
Son of J.P. Mersha,
Aged about 43 years,
Occupation : Practising Lawyer,
Resident of Mandir Chowk,
Jarhabhata, Bilaspur,
District Bilaspur, Chattisgarh.

Versus

RESPONDENTS

1. Union of India
Through the Secretary,
Ministry of Law and Justice,
New Delhi – 110001
2. Delimitation Commission of India
Nirwachan Sadan, Ashoka Road,
New Delhi 110001
3. The State of Chhattisgarh
Through the Chief Secretary,
D.K.S. Bhawan, Mantralaya,
Raipur, Chhattisgarh

Present : Shri M.D. Dhote, learned counsel for the petitioner.
Shri S.K. Beriwal, learned Standing Counsel for Union of India/respondent No. 1.
Shri A. S. Gaharwar, learned counsel for res. No. 2.

ORAL ORDER
(Passed on 30th August, 2006)

The following oral order of the Court was passed by

S.R. Nayak, CJ.

In this writ petition, the petitioner has sought for quashing of the draft proposal where under Raigarh Parliamentary Constituency has been allocated to Scheduled Caste seat in the place of existing Bilaspur Parliamentary Constituency which is reserved for Scheduled Caste. Notification in the exercise of the power conferred under Section 9 (2) (d) of the Delimitation Act, 2002 (for short "the Act") has been issued

under sub-Section (1) of Section 10 of the Act and the same was published in the Gazette dated 02nd June 2006. In that view of the matter and having regard to the provisions of sub-Section (2) of Section 10 of the Act as well as Article 329 of the Constitution of India, we decline to entertain this writ petition. Accordingly, it is dismissed. No costs.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Kamble